**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**W.P.No.35286_of 1998**

Dated: 12.07.2006

Between

1.P.Sriramulu and others.

…..Petitioners

and

The Government of A.P.
represented by its Secretary,
Labour, Employment, Nutrition and
Technical Education Dept.,
Secretariat Buildings,
Hyderabad and another.

….Respondents

**THE HON'BLE SRI JUSTICE C.V.RAMULU**

**W.P.No.35286_of 1998**

ORDER:

This writ petition is filed seeking a Mandamus directing the 2nd respondent to extend the scale of pay of Rs.1150-50-1700 (RPS 1978) to the petitioners on completion of 15 years of service as workshop Instructors (Senior Instructors) on par with Draughtsman and to revise their scales of pay from time to time i.e., in the revised pay scales of 1986 and on completion of 22 years of service in Special Promotion post and subsequent revision in 1993 w.e.f. 1.7.1992.

It is the case of the petitioners that they are working as Senior Instructors in the department of Technical Education under the administrative control of the 2nd respondent. The pay scale for the post of Workshop Instructor and the Draughtsman are identical. The petitioners opted to the University service w.e.f. 2.10.1972. After formation of the University, the scale of pay for Draughtsman was revised from time to time. Whenever there was a discrepancy, the petitioners made representations and the same were rectified. During the year 1965-66 Workshop Instructors and Draughtsmen were appointed in some Engineering Colleges with the same scale of pay which was revised from time to time. Subsequently, the pay scale was revised for Draughtsman but was neglected in the case of Workshop Instructors. Then the

petitioners made representations for extending the same pay scale to them. In fact, the scale of pay was also extended to the Workshop Instructors and monetary benefits were also given. Further, they were also given the benefit of automatic advancement scheme in terms of G.O.Ms.No.117 dated 25.5.1981 on completion of 15 years and 22 years of service.

Now the grievance of the petitioners is that they are also entitled to be promoted to the post of SSP I & II on par with the Draughtsman as per G.O.Ms.No.117 dated 25.5.1981. They made several representations. But the same were not considered. It is also their further case that some Draughtsman who were not qualified were also given Special Temporary Promotion posts. Hence, the writ petiton.

Pursuant to the interim direction granted by this Court, the respondents after considering the cases of the petitioners in detail passed orders dated 18.5.2000 rejecting their case. Thereafter, WPMP NO.23588 of 2001 has been filed seeking amendment of the prayer questioning the very letter dated 18.5.2000.

There is no necessity to go into all the details. The letter dated 18.5.2000 itself is sufficient for the purpose of deciding the issue.

The whole case of the Department is that the qualifications prescribed for extending the benefit of SSP I & II have not been satisfied by the petitioners. Therefore, they are not entitled for the Special Temporary Promotion. For SSP I, the qualification is Diploma in Engineering and for SSP II, the qualification is degree in Engineering. The Draughtsmen in the University were extended with Special Temporary Promotion benefit as SSP I & II as the

case may be, since they had satisfied the requisite qualifications. It is not the case of the petitioners that the Workshop Instructors getting the same pay scale as that of the Draughtsman have got the qualifications of Diploma in Engineering or Degree in Engineering. It is the case of the Department that even if the petitioners have such qualifications, they are entitled to promotion on part with Draughtsman. It is an admitted fact that the petitioners have not satisfied qualification criteria i.e., they do not possess Diploma or Degree in Engineering for being promoted to the post of SSP I & II. Further, the learned counsel for the petitioners tried to impress upon the Court that in the proceedings dated 19.3.1990 some Draughtsman who were studying B.Tech IV year and M.Tech I Year were also considered for promotion. According to the petitioners, their cases ought not to have been considered by the Department since they have not completed the course at all. That is not the issue that arises for consideration in this writ petition. The petitioners have not satisfied the criteria as required for being promoted to the post of SSP I & II. Therefore, the impugned order does not call for interference of this Court under Article 226 of the Constitution of India. Writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

_____

12.07.2006

rkk